

Message

From: Spina, Providence [Spina.Providence@epa.gov]
Sent: 2/4/2022 3:19:04 PM
To: Deena Tumeh [dtumeh@earthjustice.org]
CC: echeuse@earthjustice.org; Greene, Mary [Greene.Mary.E@epa.gov]; Shine, Brenda [Shine.Brenda@epa.gov]
Subject: RE: Fenceline Monitoring at Denka
Attachments: 2021.11.16 . DPE - Updated Map of Sampling Locations & Coordinates.pdf

Hi Deena,

Sorry for the delay. Here is the map of the monitoring locations.

Regarding your questions about the monitoring, I have copied Brenda Shine in OAQPS who will be better able to address your questions.

And finally, regarding when the monitoring data will be publicly available – we are still working on arrangements to make the data available and accessible as soon as possible, but until we see the data we are not sure what level of QA/QC will be needed. I'll circle back next week when I have a better sense of the timing.

Regards,

Providence Spina
202-564-2722

From: Deena Tumeh <dtumeh@earthjustice.org>
Sent: Tuesday, February 1, 2022 4:04 PM
To: Spina, Providence <Spina.Providence@epa.gov>
Cc: echeuse@earthjustice.org; Greene, Mary <Greene.Mary.E@epa.gov>
Subject: RE: Fenceline Monitoring at Denka

Providence,

I have two quick questions on the ICR: Do you have the final map of monitoring locations that EPA references in its November 23, 2021 letter (which it says was provided by Denka on November 16)? Also, is there a minimum sampling collection period for each tube, and is Denka allowed to have any time gaps (and if so, how long) between successive sample collections at a site? I know that the protocol specifies the maximum duration (14 days) of sample collection for each tube. But is there anything that would prevent Denka from collecting a sample for a day, capping the tube and sending it off for analysis, and then waiting 13 days to resume sampling in the next sampling period? Thank you.

Best,
Deena

Deena Tumeh
she/her
Associate Attorney
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1001 G Street NW, Suite 1000
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From: Deena Tumeh
Sent: Friday, January 28, 2022 3:15 PM
To: Spina, Providence <spina.providence@epa.gov>
Cc: Emma Cheuse <echeuse@earthjustice.org>; greenemary.e@epa.gov
Subject: RE: Fenceline Monitoring at Denka

Providence,

Okay, thank you for letting me know. I look forward to hearing from you when you have more information.

Best,
Deena

From: Spina, Providence <spina.providence@epa.gov>
Sent: Friday, January 28, 2022 12:55 PM
To: Deena Tumeh <dtumeh@earthjustice.org>
Cc: Emma Cheuse <echeuse@earthjustice.org>; greenemary.e@epa.gov
Subject: RE: Fenceline Monitoring at Denka

Deena,

Thank you for the e-mail and sending the Title VI complaint.

We expect monitoring results to be submitted on February 4, as required by the Information Request. We are still working through the logistics of making the results publicly available. I should have more information next week and will let you know.

Have a good weekend,

Providence Spina
202-564-2722

From: Deena Tumeh <dtumeh@earthjustice.org>
Sent: Tuesday, January 25, 2022 11:33 AM
To: Spina, Providence <Spina.Providence@epa.gov>
Cc: echeuse@earthjustice.org; Greene, Mary <Greene.Mary.E@epa.gov>
Subject: RE: Fenceline Monitoring at Denka

Providence,

I wanted to let you know that we filed a Title VI complaint (courtesy copy attached) on behalf of Concerned Citizens of St. John and Sierra Club regarding civil rights violations by LDEQ and the Louisiana Department of Health. The violations are related to Denka's chloroprene emissions, so I thought you would want to know about it.

Regarding the fenceline monitoring at Denka, have you been able to figure out when EPA expects to receive the first set of data and when EPA will share the data with Concerned Citizens of St. John or the public more broadly? Thank you.

Best,
Deena

Deena Tumeh
Associate Attorney
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From: Spina, Providence <spina.providence@epa.gov>
Sent: Saturday, January 15, 2022 11:05 PM
To: Deena Tumeh <dtumeh@earthjustice.org>
Cc: Emma Cheuse <echeuse@earthjustice.org>; greenemary.e@epa.gov
Subject: RE: Fenceline Monitoring at Denka

Deena,

Sorry for the delay in responding. I'm trying to run down the answers to your question. I hope to circle back shortly.

Providence Spina
202-564-2722

From: Deena Tumeh <dtumeh@earthjustice.org>
Sent: Tuesday, January 11, 2022 3:55 PM
To: Spina, Providence <Spina.Providence@epa.gov>
Cc: echeuse@earthjustice.org; Greene, Mary <Greene.Mary.E@epa.gov>
Subject: RE: Fenceline Monitoring at Denka

Hi Providence,

Do you know when EPA expects to receive the first set of monitoring data from Denka and when EPA will share the data with Concerned Citizens of St. John or the public more broadly? Thank you.

Best,
Deena

From: Deena Tumeh
Sent: Tuesday, January 11, 2022 8:25 AM
To: Spina, Providence <spina.providence@epa.gov>
Cc: Emma Cheuse <echeuse@earthjustice.org>; greenemary.e@epa.gov
Subject: RE: Fenceline Monitoring at Denka

Providence,

I'm very glad to hear that Denka has formally confirmed it began fenceline monitoring on January 7. Thank you for sending us the formal confirmation.

Best,
Deena

Deena Tumeh
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From: Spina, Providence <spina.providence@epa.gov>
Sent: Monday, January 10, 2022 10:17 PM
To: Deena Tumeh <dtumeh@earthjustice.org>
Cc: Emma Cheuse <echeuse@earthjustice.org>; greeney.mary.e@epa.gov
Subject: RE: Fenceline Monitoring at Denka

Deena,

We received the formal confirmation letter on Saturday. It is attached.

Regards,

Providence Spina
202-564-2722

From: Deena Tumeh <dtumeh@earthjustice.org>
Sent: Saturday, January 8, 2022 12:58 PM
To: Spina, Providence <Spina.Providence@epa.gov>
Cc: echeuse@earthjustice.org; Greene, Mary <Greene.Mary.E@epa.gov>
Subject: Re: Fenceline Monitoring at Denka

Providence,

Thank you for this update--I'm happy to hear that Denka has started monitoring. Have you received the formal confirmation yet? And thank you, we'd appreciate any further updates. I hope you also have a good weekend.

Best,
Deena

From: Spina, Providence <spina.providence@epa.gov>

Sent: Friday, January 7, 2022 6:59 PM

To: Deena Tumeh

Cc: Emma Cheuse; greenemary.e@epa.gov

Subject: RE: Fenceline Monitoring at Denka

Deena,

I received informal confirmation from Denka that the passive sampler fenceline monitoring system has been installed and is operational. We should be receiving a formal notification shortly. I will let you know if there are any further developments.

Have a good weekend,

Providence Spina

202-564-2722

From: Spina, Providence

Sent: Friday, January 7, 2022 12:59 PM

To: Deena Tumeh <dtumeh@earthjustice.org>

Cc: echeuse@earthjustice.org; Greene, Mary <Greene.Mary.E@epa.gov>

Subject: RE: Fenceline Monitoring at Denka

Deena,

We understand that Denka has been in the process of installing the monitors this week. We should have an update this evening and I will provide an update with what we learn.

Providence Spina

202-564-2722

From: Deena Tumeh <dtumeh@earthjustice.org>

Sent: Friday, January 7, 2022 12:50 PM

To: Spina, Providence <Spina.Providence@epa.gov>

Cc: echeuse@earthjustice.org; Greene, Mary <Greene.Mary.E@epa.gov>

Subject: RE: Fenceline Monitoring at Denka

Providence,

I hope all is well. When we last conferred with our clients, they could not visibly see the fenceline monitors that were due to be installed on December 23. Could you provide us with an update on the status of monitoring and whether it began today per the ICR? Feel free to call me at (404) 271-1340 if you prefer. Thank you.

Best,

Deena

Deena Tumeh

Associate Attorney

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From: Deena Tumeh
Sent: Wednesday, December 22, 2021 2:52 PM
To: Spina, Providence <spina.providence@epa.gov>
Cc: Emma Cheuse <echeuse@earthjustice.org>; greenemary.e@epa.gov
Subject: RE: Fenceline Monitoring at Denka

Providence,

Thank you very much for this update and for sending any additional information you receive our way. I will let you know if we have any questions.

Best,
Deena

Deena Tumeh
Associate Attorney
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From: Spina, Providence <spina.providence@epa.gov>
Sent: Wednesday, December 22, 2021 10:22 AM
To: Deena Tumeh <dtumeh@earthjustice.org>
Cc: Emma Cheuse <echeuse@earthjustice.org>; greenemary.e@epa.gov
Subject: RE: Fenceline Monitoring at Denka

Deena,

I am following up on your inquiry into Denka's 24-hour summa canister sampling program. Denka will continue its community air monitoring through the end of 2021, and we expect it will continue at least until the installation of the passive fenceline monitors.

If we receive any additional information I will send it your way. Please let us know if you have any questions.

Providence Spina
202-564-2722

From: Deena Tumeh <dtumeh@earthjustice.org>
Sent: Thursday, December 16, 2021 11:31 AM
To: Spina, Providence <Spina.Providence@epa.gov>
Cc: echeuse@earthjustice.org; Greene, Mary <Greene.Mary.E@epa.gov>
Subject: RE: Fenceline Monitoring at Denka

Providence,

Okay, thank you for sending the letter. I look forward to hearing from you when you have more information.

Best,
Deena

Deena Tumeh
Associate Attorney
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1001 G Street NW, Suite 1000
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From: Spina, Providence <spina.providence@epa.gov>
Sent: Wednesday, December 15, 2021 9:57 PM
To: Deena Tumeh <dtumeh@earthjustice.org>
Cc: Emma Cheuse <echeuse@earthjustice.org>; greenemary.e@epa.gov
Subject: RE: Fenceline Monitoring at Denka

Deena,

Thank you for your e-mail. Evan Belser has recently left the EPA, so I am copying here Mary Greene, who is our new Air Enforcement Division Director.

Regarding your inquiry into the timeline for the passive sampler monitoring required by EPA's June 15 Clean Air Act Section 114 information request, I am attaching an EPA letter to Denka, dated November 23, 2021, that sets a firm deadline for the commencement of the monitoring.

We are looking into the Denka's plan to stop collecting 24-hour summa canister samples at the end of December and the potential monitoring gap identified in your e-mail. We will circle back when we have more information.

Regards,

Providence Spina
202-564-2722

From: Deena Tumeh <dtumeh@earthjustice.org>
Sent: Tuesday, December 14, 2021 4:54 PM
To: Spina, Providence <Spina.Providence@epa.gov>; Belser, Evan <Belser.Evan@epa.gov>
Cc: echeuse@earthjustice.org
Subject: Fenceline Monitoring at Denka

Hi Providence and Evan,

I hope all is well. I am writing to check in on the fenceline monitoring situation at Denka and to alert you to a potential gap in fenceline monitoring there that we hope EPA will prevent.

As you know, we filed a petition for emergency action on behalf of Concerned Citizens of St. John calling for fenceline monitoring, among other actions, in May 2021. We were encouraged to see EPA require Denka to use Method 325A/B fenceline monitoring in its June 2021 ICR but are concerned by Denka's efforts to delay implementing fenceline monitoring.

Our understanding is that Denka is scheduled to stop collecting 24-hour summa canister air samples for chloroprene at the six locations surrounding Denka at the end of December 2021. Denka's communications with EPA indicate it could take several more weeks, potentially beyond the end of December 2021, for it to implement the proposed passive air monitoring for chloroprene and 1,3-butadiene at all monitoring locations. This means that beginning January 1, 2022, there could be a gap in fenceline monitoring for chloroprene and other hazardous air pollutants.

We request that EPA exert its full authority to compel Denka to comply with the ICR in a timely fashion. If Denka does not guarantee implementation of Method 325A/B monitoring at all required monitoring locations beginning on January 1, 2022, we request that EPA initiate summa canister air sampling on a 24-hour basis, once every six days for chloroprene beginning January 1, 2022, until Denka appropriately implements monitoring in full compliance with the ICR.

Thank you for considering our request, and please let me know if you would like to have a meeting to discuss our request further.

Best,
Deena

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